



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

*Promoting the wise use of land
Helping build great communities*

MEETING DATE July 21, 2006 LOCAL EFFECTIVE DATE August 4, 2006 APPROX FINAL EFFECTIVE DATE August 25, 2006	CONTACT/PHONE Ryan Hostetter 788-2351	APPLICANT Robert Gannage	FILE NO. DRC2005-00224
SUBJECT Request by Robert Gannage for a Minor Use Permit/Coastal Development Permit to allow an approximately 1,025 square foot addition of living area, a new 65 square foot second floor deck, and an approximately 686 square foot workshop/garage to the existing single family residence. The proposed project is within the Residential Suburban land use category and is located at 1542 Valley View Lane in the community of Los Osos. The site is in the Estero planning area.			
RECOMMENDED ACTION Approve Minor Use Permit/Coastal Development Permit DRC2005-00224 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class 3 Categorical Exemption was issued on June 23, 2006 (ED05-496).			
LAND USE CATEGORY Residential Suburban	COMBINING DESIGNATION Local Coastal Program, Coastal Appealable Zone, and Archaeologically Sensitive Area	ASSESSOR PARCEL NUMBER 074-325-046	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: None applicable to this property <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Local Coastal Program, Coastal Appealable Zone, Setbacks, and Height Requirements <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

EXISTING USES: Residential Single Family	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Suburban/residential <i>East:</i> Residential Suburban/residential <i>South:</i> Residential Suburban/residential <i>West:</i> Residential Suburban/residential	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Los Osos Community Advisory Council, Public Works, Los Osos Community Services District, and the California Coastal Commission.	
TOPOGRAPHY: Nearly level to moderately sloping	VEGETATION: Ornamental Vegetation
PROPOSED SERVICES: Water supply: Community System Sewage Disposal: Individual on-site septic Fire Protection: CDF/County Fire	ACCEPTANCE DATE: June 13, 2006

COASTAL ZONE LAND USE ORDINANCE STANDARDS:

Section 23.07.120 - Local Coastal Program

The project site is located within the California Coastal Zone as determined by the California Coastal Act of 1976 and is subject to the provisions of the Local Coastal Program.

Section 23.01.043 - Appeals to the Coastal Commission (Coastal Appealable Zone)

The project is appealable to the Coastal Commission because the site is located between the first public road (Los Osos Valley Road) and the ocean.

Section 23.07.104 - Archaeologically Sensitive Areas

The project site is within a mapped Archaeologically Sensitive Area. A Cultural Resource Inventory was completed by Parker and Associates (11/1/05) which showed no cultural resources on the property.

Section 23.04.100 - Setbacks:

Required setbacks for the subject property are located within the Coastal Zone Land Use Ordinance which are as follows: Front 25 feet, side 5 feet, and rear is 10 feet. *This project complies with these requirements.*

Section 23.04.120 - Height:

Maximum height for structures within this Residential Suburban land use category is 35'. *This project complies with this standard at a height of 22'6".*

COASTAL PLAN POLICIES: This project is in compliance with the Coastal Plan Policies. The most relevant policies are discussed below.

Public Works:

Policy 1: Availability of Service Capacity applies to the project. The proposed project will include additional water fixtures, therefore a will-serve letter is required for this proposal prior to issuance of construction permits.

Coastal Watersheds:

Policy 7: Siting of new development: The proposed project is consistent with this policy because the proposed addition will be located on an existing lot of record in the Residential Single Family category and there is no area of the site with a slope of less than 20 percent.

Policy 8: Timing of new construction: The proposed project is consistent with this policy because if grading is to occur or left unfinished between October 15 through April 15 the project is required to have an erosion and sedimentation control plan and all sedimentation and erosion control measures will be in place before the start of the rainy season.

Policy 10: Drainage Provisions: The proposed project is consistent with this policy because the project is required to have a drainage plan that shows the construction of the addition will not increase erosion or runoff.

Hazards:

Policy 1: New Development: The proposed project is consistent with this policy because it is located and designed to minimize risks to human life and property.

Archaeology:

Policy 4: Preliminary Site Survey: The parcel is in an archeologically sensitive area. A Phase I archaeological survey was conducted on November 1, 2005 (Parker and Associates) that found no resources on the site.

Does the project meet applicable Coastal Plan Policies: Yes, as conditioned

COMMUNITY ADVISORY GROUP COMMENTS: No comments received as of June 23, 2006.

AGENCY REVIEW:

Public Works – “Recommend approval”

Los Osos Community Services District – “no comment”

Regional Water Quality Control Board – “Addition acceptable given that it follows RWQCB order no 00-12, section A.1.F” (General Waste Discharge Requirements)

LEGAL LOT STATUS:

The existing lots were legally created by a recorded map at a time when that was a legal method of creating lots (Bay View Heights PM 2/32)

Staff report prepared by Ryan Hostetter and reviewed by Kami Griffin.

EXHIBIT A - FINDINGS

CEQA Exemption

- A. The project qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines Section 15303 because the project is a minor addition to a single-family residence in a residential zone.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the project does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on a road constructed to a level able to handle any additional traffic associated with the project.

Coastal Access

- G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the project is not adjacent to the coast, and the project will not inhibit access to the coastal waters and recreation areas.

Archaeology

- H. The project design and development incorporates adequate measures to ensure protection of significant archaeological resources because the project has included a preliminary site survey for archaeological resources which found no significant resources on the project site.

EXHIBIT B - CONDITIONS OF APPROVAL

Authorized Use

1. Minor Use Permit/Coastal Development Permit to allow an approximately 1,025 square foot addition of living area, a new 65 square foot second floor deck, and an approximately 686 square foot workshop/garage to the existing single family residence.
2. Maximum height is 22' 6" from average natural grade.

Conditions to be completed prior to issuance of a construction or grading permit

Site Development

3. **At the time of application for construction permits** plans submitted shall show all development consistent with the approved site plan, floor plan, and architectural elevations.
4. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.
5. **At the time of application for construction permits**, the applicant shall comply with the general waste discharge requirements of the Regional Water Quality Control Board (order no. 00-12) for septic design and capacity.

Grading, Drainage, Sedimentation and Erosion Control

6. If grading is to occur between October 15 and April 15, a sedimentation and erosion control plan shall be submitted pursuant to Coastal Zone Land Use Ordinance Section 23.05.036.
7. The applicant shall submit a drainage plan for review and approval by the County Public Works Department.

Fire Safety

8. The applicant shall provide the county Department of Planning and Building with a fire safety plan approved by CDF/County Fire.

Building Height

9. The maximum height of the project is 22 feet 6 inches (as measured from average natural grade).

Archaeology

10. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - A. Construction activities shall cease and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - B. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

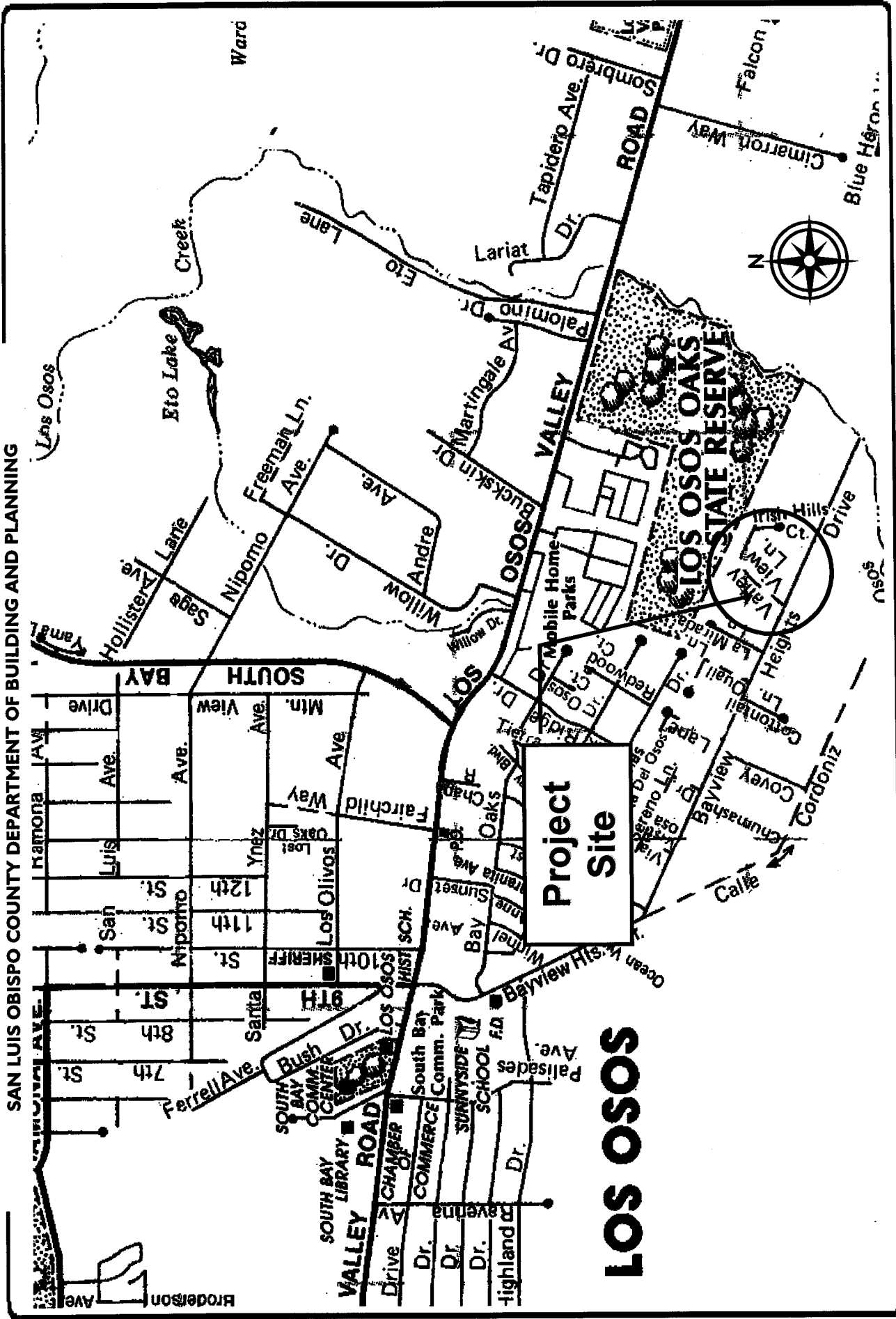
Conditions to be completed prior to occupancy or final building inspection /establishment of the use

Fire Safety

11. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from CDF/County Fire of all required fire/life safety measures.

Miscellaneous

12. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
13. This permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050. This permit is generally considered to be vested once a building permit has been issued and substantial site work has been completed. Substantial site work is defined (Section 23.02.042) as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade ('sticks in the air').
14. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Coastal Zone Land Use Ordinance.



EXHIBIT

Los Osos Vicinity



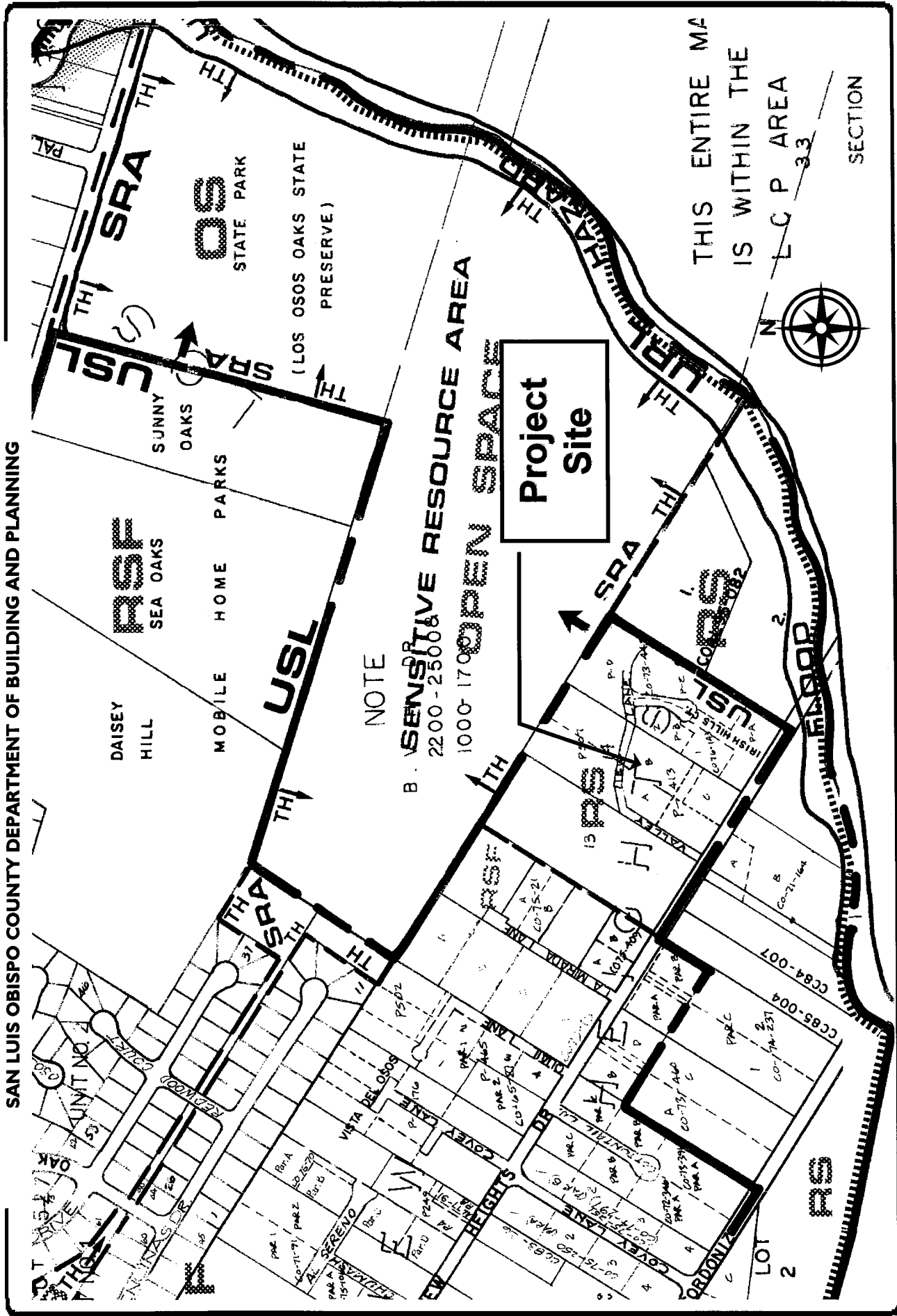
PROJECT

Minor Use Permit

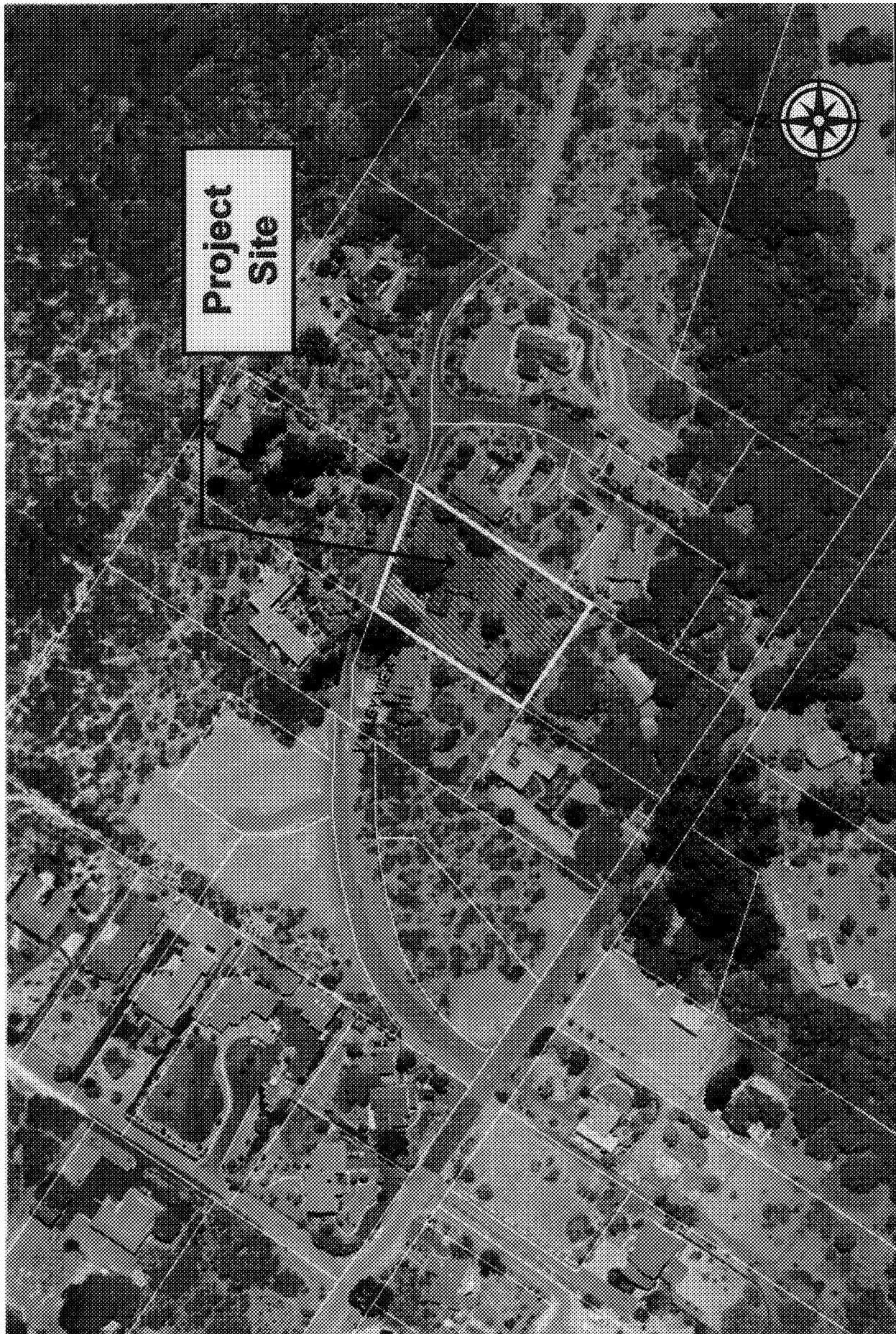
Gannage DRC2005-00224

LOS OSOS

Project Site



<p>PROJECT</p> <p>Minor Use Permit Gannage DRC2005-00224</p>	<p>EXHIBIT</p> <p>Land Use Category</p>
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PROJECT

Minor Use Permit
Gannage DRC2005-00224

EXHIBIT

Aerial Photo





Floor plan of the second floor of a building. The plan shows a large central area labeled '(N) 2-Car Garage' with a dashed outline. To the left is a 'Workshop' and a 'Deck'. To the right is a 'Master Bedroom' and a 'Master Bath'. A 'Living Room' is located at the bottom right, and 'Bedroom Suite #2' is at the bottom left. A 'Stair' is located near the garage. The plan includes various dimensions and a north arrow.

Window Legend

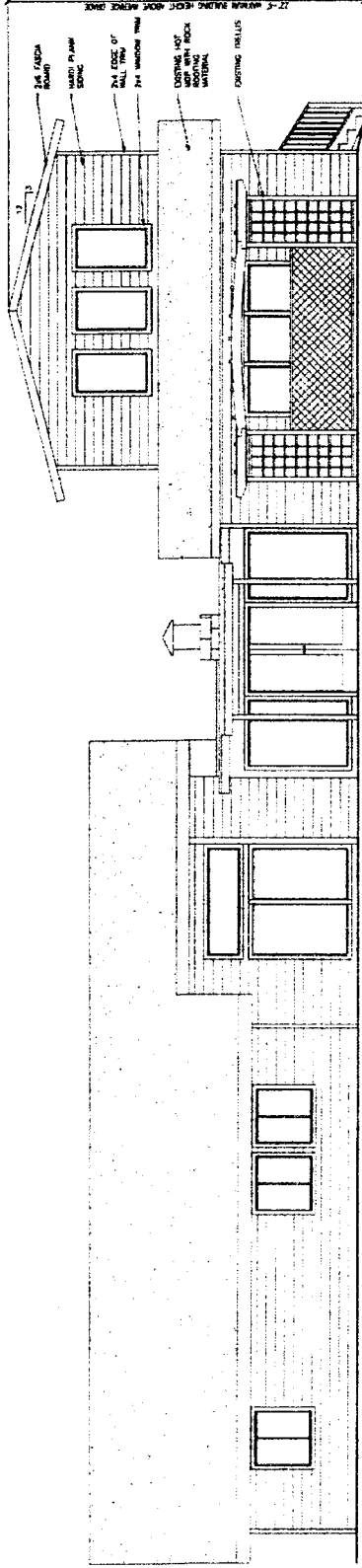
SECOND FLOOR PLAN
SCALE: 1/4"=1'-0"

Gannage DRC2005-00224

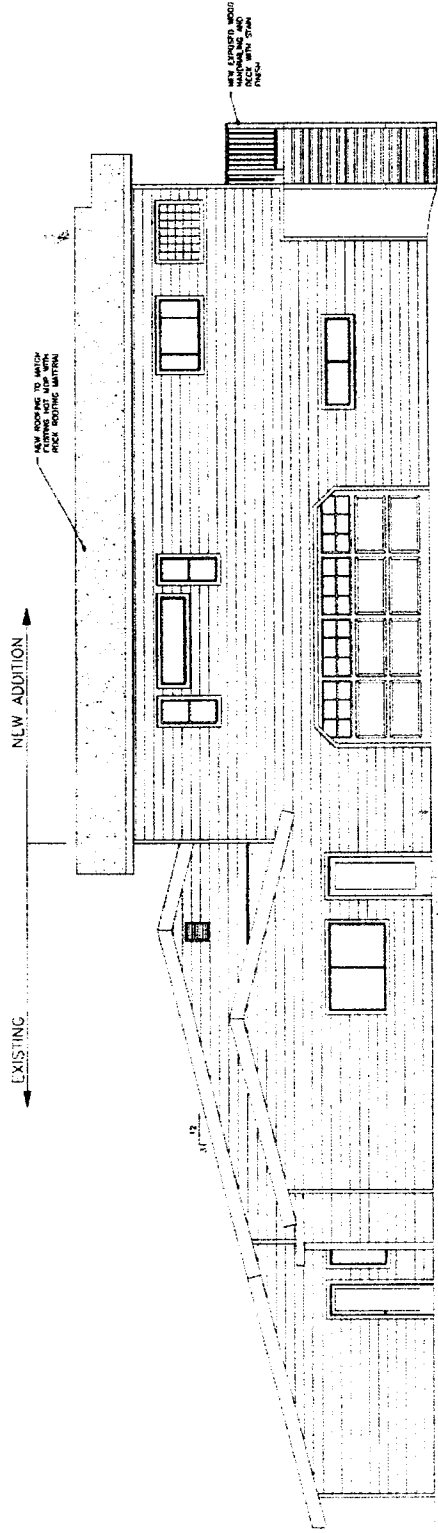
EXHIBIT

Floor Plans





NORTH ELEVATION
SCALE: 1/4"=1'-0"



WEST ELEVATION
SCALE: 1/4"=1'-0"

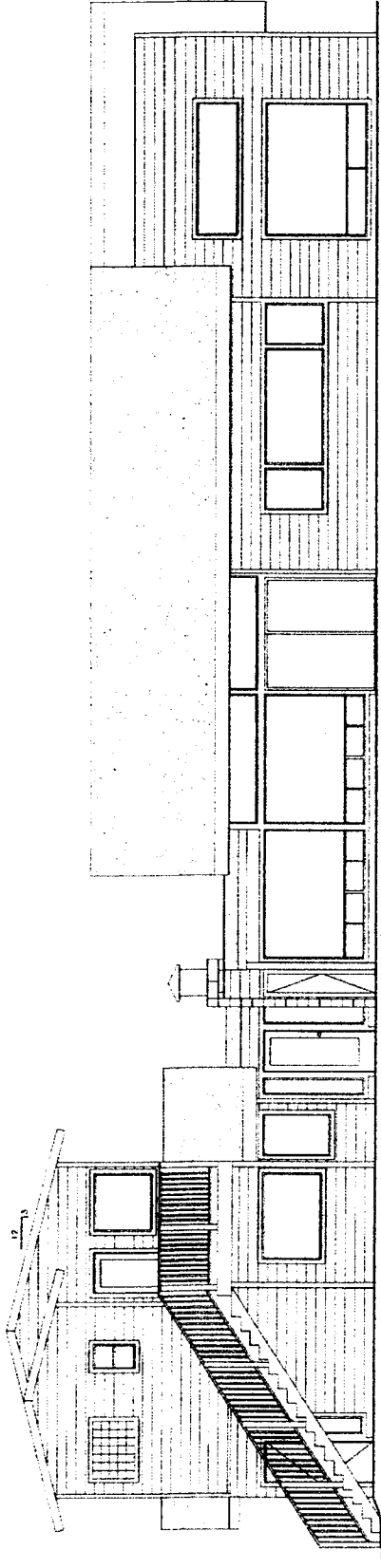
PROJECT

Minor Use Permit
Gannage DRC2005-00224

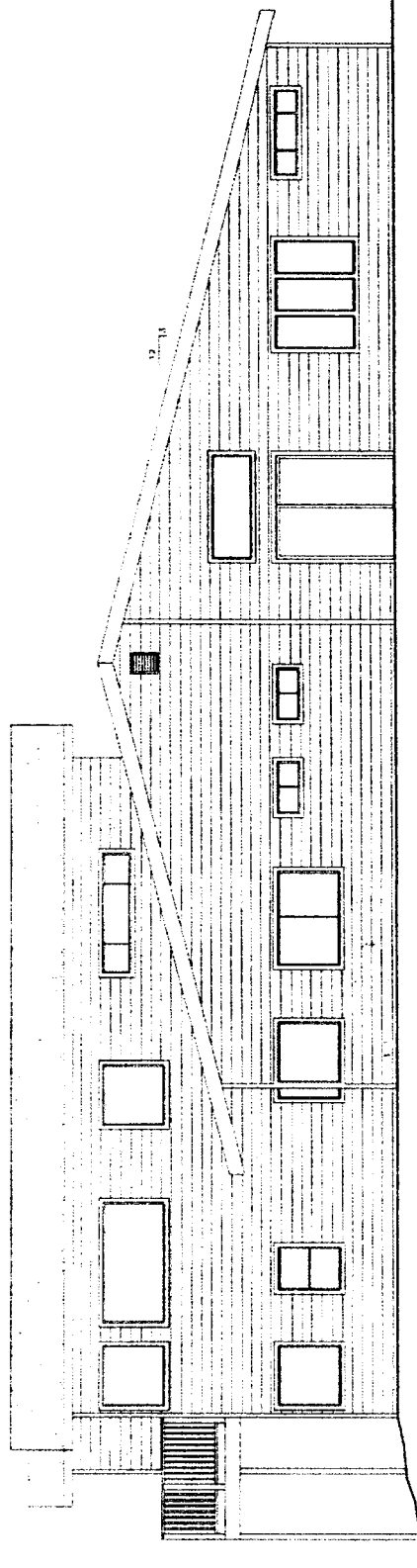
EXHIBIT

Elevations – North and West





SOUTH ELEVATION
SCALE: 1/4"=1'-0"



EAST ELEVATION
SCALE: 1/4"=1'-0"

PROJECT

Minor Use Permit
Gannage DRC2005-00224

EXHIBIT

Elevations – South and East

